

<p align="center">CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8</p> <p>I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:</p> <p>Date: <u>April 30, 2009</u> Name: <u>G. Peter Nichols</u> Signature: <u>/G. Peter Nichols/</u></p>	
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**BRINKS**  
**HOFER**  
**GILSON**  
**& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of:	Craig Van Buuren	Examiner:	Fiorito
Appln. No.:	10/796,557	Art Unit:	1793
Filed:	March 9, 2004	Conf. No.:	1076
For:	METHOD OF AND APPARATUS FOR SIMULATING A BIOLOGICAL HEAP LEACHING PROCESS		
Attorney Docket No.:	10908/9 (P20197)		

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)**

Sir:

Applicant requests continued examination of the above-identified application under 37 C.F.R. §1.114.

- ☒ Submission under 37 CFR 1.114 (*check at least one of the following*):
- ☒ Previously submitted:
    - ☐ Applicant requests nonentry of any previously-filed unentered amendments.
    - ☒ Please enter and consider the Response To Final Rejection previously filed on March 11, 2009.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - ☐ Other: \_\_\_\_\_.
  - ☐ Attached is/are:
    - ☐ An Information Disclosure Statement
    - ☐ An Amendment to the written description, claims, or drawings
    - ☐ New Arguments and/or New Evidence in support of Patentability
    - ☐ Other: \_\_\_\_\_

☐ Request for suspension of action:

Applicant(s) hereby requests suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

☐ Applicant(s) hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. \_\_\_\_\_ / \_\_\_\_\_ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant calculates the following fees to be due in connection with this Request:

☒ A request fee of \$810.00 under 37 C.F.R. §1.17(e).

☐ A suspension processing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.17(i).

☐ An additional filing fee of \$\_\_\_\_\_ under 37 C.F.R. §1.16 (\_\_\_\_\_ additional independent claims and/or \_\_\_\_\_ additional total claims).

☐ An extension fee of \$\_\_\_\_\_ under 37 C.F.R. §1.17(a).

☒ Fee payment to cover the above-enumerated fee(s):

☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$810.00 (RCE request fee under 37 C.F.R. §1.17(e)).

☐ A payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,

April 30, 2009

Date

/G. Peter Nichols/

G. Peter Nichols, Reg. No. 34,401